

REMARKS

Upon entry of the Amendment, Claims 22-46 are pending. Claims 1-21 are canceled.

Each of Claims 22-46 is briefly described below:

Claim 22. Claim 1 is amended to incorporate the subject matter of Claim 3 therein by adding the following recitation to Claim 1: "wherein the photopolymerizable composition further includes heat-responsive microcapsules comprising a color-forming component."

Claim 23. Claim 2 is amended to depend from Claim 22.

Claim 24. Claim 4 is amended to depend from Claim 22.

Claim 25. Claim 5 is amended to depend from Claim 22.

Claim 26. Claim 1 is amended to incorporate the subject matter of Claim 5 therein by adding the following recitation to Claim 1: "wherein the polymerizable compound having an addition-polymerizable unsaturated bond is at least one of a substantially colorless compound having in the molecule thereof a polymerizable group and a site which reacts with a color-forming component so as to develop a color and a substantially colorless compound having in the molecule thereof a polymerizable group and a site which inhibits the reaction between a color-forming component and another compound."

Claim 27. Claim 2 is amended to depend from Claim 26.

Claim 28. Claim 4 is amended to depend from Claim 26.

Claim 29. Claim 1 is amended to incorporate the subject matter of Claim 18 therein by adding the following recitation to Claim 1: "wherein a recording material prepared by coating on a support a recording layer including the photopolymerizable composition is exposed to light

so that the photopolymerizable composition forms a latent image, and heated so that color forming components develop colors according to the latent image to form an image, and the recording layer surface irradiated with light so as to fix the image and decolorize the organic dye.”

Claim 30. Claim 2 is amended to depend from Claim 29.

Claim 31. Claim 3 is amended to depend from Claim 29.

Claim 32. Claim 4 is amended to depend from Claim 29.

Claim 33. Claim 5 is amended to depend from Claim 29.

Claim 34. Claim 1 is amended to incorporate the subject matter of Claim 14 by adding the following recitation to Claim 1: “wherein the photopolymerizable composition includes heat-responsive microcapsules including a color-forming component A, and, outside the microcapsules, a substantially colorless compound B having in the molecule thereof a polymerizable group and a site which reacts with the color-forming component A to develop a color, and a photopolymerization initiator comprising the organic dye and the organoboron compound.”

Claim 35. Claim 1 is amended to incorporate the subject matter of Claim 15 by adding the following recitation to Claim 1: “wherein the photopolymerizable composition includes heat-responsive microcapsules including a color-forming component A, and, outside the microcapsules, a substantially colorless compound C having a site which reacts with the color-forming component A to develop a color, a substantially colorless compound D having in the molecule thereof a polymerizable group and a site which inhibits reaction between the color-

forming component A and the compound C, and a photopolymerization initiator comprising the organic dye and the organoboron compound."

Claim 36. Claim 6 is amended to incorporate the subject matter of Claim 14 by adding the following recitation to Claim 6: "wherein the photopolymerizable composition includes heat-responsive microcapsules including a color-forming component A, and, outside the microcapsules, a substantially colorless compound B having in the molecule thereof a polymerizable group and a site which reacts with the color-forming component A to develop a color, and a photopolymerization initiator comprising the organic dye and the organoboron compound."

Claim 37. Claim 7 is amended to depend from Claim 36.

Claim 38. Claim 9 is amended to depend from Claim 36.

Claim 39. Claim 10 is amended to depend from Claim 36.

Claim 40. Claim 6 is amended to incorporate the subject matter of Claim 15 by adding the following recitation to Claim 6: "wherein the photopolymerizable composition includes heat-responsive microcapsules including a color-forming component A, and, outside the microcapsules, a substantially colorless compound C having a site which reacts with the color-forming component A to develop a color, a substantially colorless compound D having in the molecule thereof a polymerizable group and a site which inhibits reaction between the color-forming component A and the compound C, and a photopolymerization initiator comprising the organic dye and the organoboron compound."

Claim 41. Claim 7 is amended to depend from Claim 40.

Claim 42. Claim 9 is amended to depend from Claim 40.

Claim 43. Claim 10 is amended to depend from Claim 40.

Claim 44. Claim 18 is amended to incorporate the subject matter of Claim 21 by adding the following recitation to Claim 18: “wherein the step of preparing a recording material includes providing microcapsules comprising a color-forming component in at least one recording layer.”

Claim 45. Claim 19 is amended to depend from Claim 44.

Claim 46. Claim 20 is amended to depend from Claim 44.

No new matter is added. Entry of the amendment is respectfully requested along with consideration of the claims on the merits.

Claim Rejection - 35 U.S.C. § 102(e)

Claims 1-21 are rejected under 35 U.S.C. § 102(e) as assertedly being clearly anticipated by CUNNINGHAM et al ‘863 for the reasons given in the Office Action.

The Examiner states that CUNNINGHAM anticipates the claimed invention at Example 36 wherein a polymerizable compound, an organic dye, and a borate compound as recited in the formula of claim 1 are present.

The Examiner states the language of the claim is clearly met by the examples for the phrase “at least one mole per mole of the organic dye”. Specifically, the Examiner asserts that amount of the borate compound being 0.4% in the composition with 0.3% of a cyanine dye meets the language as claimed. Further, the Examiner states that whether the prior art appreciates specific molar ratios in their composition is irrelevant to the claimed composition.

The Examiner asserts that if the ratio is taught in the prior art, the skilled artisan would reasonably expect same or similar properties in the composition of the prior art because the compounds and their properties are inseparable.

Applicants respond as follows.

The Examiner's rejection of Claims 1-21 should now be withdrawn as Claims 1-21 are canceled herein.

In order to advance prosecution, Applicants submit new Claims 22-46.

Applicants narrowed the scope of original, independent Claim 1, now having the subject matter thereof incorporated in new Claim 22, by also incorporating therein subject matter from original, dependent Claim 3, now canceled. Applicants submit that CUNNINGHAM does not anticipate each and every requirement of independent Claim 22, at least for example, the requirement that "the photopolymerizable composition further includes heat-responsive microcapsules comprising a color-forming component".

Likewise, Applicants submit that CUNNINGHAM does not anticipate each and every requirement of independent Claims 26, 29, 34, 35, 36, 40 and 44, and dependant claims dependent therefrom.

Accordingly, Applicants respectfully request consideration and withdrawal of the rejection of Claims 1-21, and allowance of Claims 22-46.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

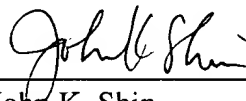
Respectfully submitted,

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